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CE 7-13-06

In the Claims

1. (original) A method for triggering an optical protection event in an optical layer of a network comprising the following steps:
 - i) monitoring the optical performance of an optical signal transmitted within the optical layer of the network;
 - ii) provisioning optical protection in the event the monitored optical performance falls below a first threshold level; and
 - iii) triggering an optical protection event, in the event the monitored optical performance falls further to below a second threshold level,

wherein the monitoring step is performed within the optical layer of the network by using a proxy to determine an optical performance characteristic which corresponds to the transmission quality of electronic signals extracted from said optical layer signal.

2. (original) A method as claimed in claim 1, wherein the optical performance characteristic is derived from the Q value acquired at the source and destination nodes of said optical signal.

3. (original) A method as claimed in claim 1, wherein the optical performance characteristic is derived from the Q value acquired between pairs of nodes along the transmission path of said optical signal.

4. (currently amended) A method as claimed in claim 1, wherein said first threshold ~~predetermined~~ level of said optical performance is set such that the transmission quality of electronic signals extracted from said optical layer signal is not affected when said level is exceeded.

5. (currently amended) A method as claimed in claim 1, wherein said second threshold ~~predetermined~~ level of said optical performance is set such that the

transmission quality of electronic signals extracted from said optical layer signal is about to be affected when said level is exceeded.

6. (currently amended) A method as claimed in claim 1 and of monitoring degradation in the performance in an optical layer of a communications network prior to the performance in any higher layers of said communications network being substantially adversely affected, the method comprising the steps of:

i) carrying out the monitoring at a first location, the optical performance of an optical signal transmitted within the optical layer of a network using a proxy to determine an optical performance characteristic which corresponds to the transmission quality of electronic signals extracted from said optical layer signal; and

ii) generating a first alarm in the event that the optical performance falls below the first threshold a first predetermined optical performance level to alert a the network control of said network that said first predetermined optical performance level has been exceeded,

iii) monitoring at a second location up stream of the first location, the optical performance of the same optical signal using a proxy to determine an optical performance characteristic which corresponds to the transmission quality of electronic signals extracted from said optical layer signal, and

iv) comparing the optical performance at the first and second locations to determine whether the degradation begins upstream or downstream of the second location.

7. (original) A method as claimed in Claim 6, wherein said network control comprises a network operator.

8. (original) A method as claimed in Claim 6, wherein said network control comprises an autonomous network controller.

9. (cancelled)

10. (cancelled)

11. (currently amended) A method as claimed in Claim 6, further comprising the steps of

iii) using said network control to carry out the provisioning of optical protection in the event the monitored optical performance falls below the first predetermined performance level, and wherein said optical protection provides end-to-end path protection.

12. (currently amended) A method as claimed in Claim 6, further comprising the steps of

iii) using said network control for the provisioning of optical protection in the event the monitored optical performance falls below the first predetermined performance level, and wherein said optical protection provides local link protection.

13. (original) A protection scheme for a communications network, wherein the optical performance of an optical path in the network is indicated to network control when degradation in the performance in an optical layer of the network has occurred prior to the performance in any higher layers of said network being substantially adversely affected, the protection scheme comprising the steps of:

- i) monitoring the optical performance of an optical signal transmitted within the optical layer of the network using a proxy to determine an optical performance characteristic which corresponds to the transmission quality of electronic signals extracted from said optical layer signal;
- ii) generating a first alarm in the event that the optical performance falls below a first predetermined optical performance level to alert the network control of the network that said first predetermined optical performance level has been exceeded;

- iii) the network control provisioning optical protection in the event the monitored optical performance falls below the first threshold level; and
- iv) triggering an optical protection event, in the event the monitored optical performance falls further to below a second threshold level.

14. (cancelled)

15. (cancelled)

16. (original) An optical protection system comprising a plurality of apparatus for use in a communications network, each said apparatus capable of implementing a method of indicating to network control when degradation in the performance in an optical layer of the communications network has occurred prior to the performance in any higher layers of the communications network being substantially adversely affected, each said apparatus comprising:-

a monitor arranged to monitor the optical performance of an optical signal transmitted within the optical layer of the network using a proxy to determine an optical performance characteristic which corresponds to the transmission quality of electronic signals extracted from said optical layer signal;

an alarm generator arranged to generate a first alarm in the event that the optical performance falls below a first predetermined optical performance level to alert the network control of the network that said first predetermined optical performance level has been exceeded;

means for said network control to provision optical protection in the event the monitored optical performance falls below the first threshold level;

an alarm generator arranged to generate a second alarm in the event that the optical performance falls below a second predetermined optical performance threshold level, said second alarm triggering an optical protection event.

17. (cancelled)

18. (cancelled)

19. (cancelled)

20. (original) A communications network in which the optical layer is provided with means to implement a method for triggering an optical protection event in an optical layer of a network, the Implementation means comprising:

- i) a monitor to monitor the optical performance of an optical signal transmitted within the optical layer of the network;
- ii) optical protection provisioning means to provision optical protection in the event the monitored optical performance falls below a first threshold level; and
- iii) triggering means to trigger an optical protection event, in the event the monitored optical performance falls further to below a second threshold level,

wherein the monitoring is performed within the optical layer of the network by using a proxy to determine an optical performance characteristic which corresponds to the transmission quality of electronic signals extracted from said optical layer signal.

21. (cancelled)

22. (original) A method as claimed in claim 1, wherein the monitoring step is performed whenever a new channel is injected into said optical layer of said communications network.

23. (cancelled)

24. (cancelled)

25. (cancelled)

26. (cancelled)

27. (currently amended) The method of claim 6, network of claim 21, wherein the alarm comprises a visual alarm on a graphical display device arranged to monitor said optical layer network.

28. (currently amended) The method of claim 6, network of claim 21, wherein the alarm comprises an audio alarm emitted by a suitable device to alert a network operator for said optical layer network.